

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

JOHN A. MOFFETT,

Plaintiff,

vs.

SMF SYSTEMS CORPORATION, a
Maryland corporation; et al.,

Defendants.

CIVIL NO. 03-00130 MLR/BMK

DECLARATION OF DONNA H.
KALAMA

DECLARATION OF DONNA H. KALAMA

DONNA H. KALAMA, declares the following:

1. I am a partner with the law firm of Goodsill Anderson Quinn & Stifel, am licensed to practice law in the State of Hawaii, and am admitted to practice law before this Court. I am one of the attorneys representing Plaintiff JOHN A. MOFFETT (hereinafter "Plaintiff") in this action.

2. On December 28, 2005, I met with Lynne T. T. Toyofuku, Esq. and Nichole Shimamoto, Esq. to consult on the items sought in Defendants' proposed Bill of Costs. During the consultation, I advised Ms. Toyofuku and Ms. Shimamoto that because they had not provided Plaintiff with any documentation to support the costs requested in the proposed Bill of Costs, Plaintiff was not able to comment on any of the specific costs. In fact, I specifically advised Ms. Toyofuku and Ms. Shimamoto that Plaintiff did not agree

with any of the claimed costs. I did agree that Plaintiff did not have any specific objection to certain categories of costs sought by Defendants. I believe that Ms. Toyofuku's Affidavit misstates my comments at the consultation as Plaintiff has never "agreed" that the costs sought by Defendants are taxable as a matter of law.

I declare under penalty of law that the foregoing is true and correct.

DATED: Honolulu, Hawaii, January 12, 2006.


DONNA H. KALAMA